

Attorney's Docket No.: 14256-002001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gautam Khurana et al.  
Serial No. : 09/723,121  
Filed : November 27, 2000  
Title : GENE DELIVERY DEVICE AND GENE DELIVERY METHOD

Art Unit : 1636  
Examiner : Celine Qian

Commissioner for Patents  
Washington, D.C. 20231

#12/B  
Juta  
7/2/03

## RESPONSE

In response to the action mailed October 23, 2002, please amend the application as follows:

In the claims:

Please amend claims 1, 5, 11, 12, 14, 15, 17, 21, 22, 23, and 29 as follows:

B<sup>1</sup>  
-1. (Amended Twice) A method for delivering a pharmaceutical composition comprising a nucleic acid to a tissue site of an animal or human, comprising the steps of:  
providing a graspable gene delivery device comprising a contact surface;  
applying said pharmaceutical composition to said contact surface; and  
contacting said contact surface to said tissue site, wherein said contacting is by moving said contact surface across said tissue site.

B<sup>2</sup>  
5. (Amended Once) The method according to claim 1, wherein said nucleic acid is DNA.

B<sup>3</sup>  
11. (Amended Twice) A kit, comprising:

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 22, 2003

Date of Deposit

Signature

Judy Wasilkus

Judy Wasilkus

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